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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 ***

11 TERREL GREGORY and ELLA UKAOMA-
12 GREGORY, individuals,

13 Plaintiff,

14 vs.

15 REBECCA PALMER, an individual; SEAN
MONTGOMERY, an individual; OSCAR
16 CONCHAS, an individual; JESSE CESENA,
an individual; THE CITY OF NORTH LAS
17 VEGAS, a municipal governmental entity and
a political subdivision of the State of Nevada;
DOE EMPLOYEES I through X, inclusive,
18 DOES I through XV, inclusive; and ROE
CORPORATIONS I through X, inclusive,
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20 Defendants.

CASE NO. 2:20-cv-1439-APG-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[FIRST REQUEST]

21 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of
22 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
23 by ninety (90) days, up to and including Monday, June 7, 2021. In addition, the parties request
24 that the all other future deadlines contemplated by the Discovery Plan and Scheduling Order be
25 extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as
26 follows:

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1. On August 4, 2020, Plaintiffs filed their Complaint in the United States District Court, District of Nevada.
2. On September 8, 2020, Defendants filed their Answer to Complaint.
3. On September 22, 2020 the parties conducted an initial FRCP 26(f) conference
4. On September 29, 2020, Defendants served their FRCP 26 Initial Disclosures on Plaintiff.
5. On October 2, 2020, Plaintiff served his FRCP 26 Initial Disclosures on Defendant.
6. On November 5, 2020, the Court entered the Stipulated Discovery Order.

DISCOVERY REMAINING

1. The parties will continue participating in written discovery.
2. Defendants will take the depositions of plaintiffs.
3. Defendants will gather records/documents pertinent to plaintiffs' claim.
4. The parties may take the depositions of any and all other witnesses garnered through discovery.
5. The parties will retain and disclose initial and rebuttal experts.
6. The parties will depose the respective expert witnesses.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-4, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

The ongoing impact on discovery by the current COVID-19 crisis continues to constrain the parties' ability to complete discovery. Local, state, and national officials continue to warn that travel should be limited and/or avoided at this time to prevent further spread of the virus. Counsel for Defendants are practicing physical distancing and are working remotely. Due to these unexpected and rapidly changing circumstances, an extension of the close of discovery deadline is necessary so the parties may fully develop their respective cases in chief.. Compounding this are the upcoming holidays (Thanksgiving, Hanukkah, Christmas, and New Year's Day) and the

parties' mutual intent not to unduly interfere with any of these celebrations during these trying times.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-4.

This is the first request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

| Scheduled Event | Current Deadline | Proposed Deadline |
|---|-----------------------------------|----------------------------------|
| Discovery Cut-off | <i>Monday, March 8 2021</i> | <i>Monday, June 7, 2021</i> |
| Deadline to Amend Pleadings or Add Parties | <i>Tuesday, December 7, 2020</i> | <i>Closed</i> |
| Expert Disclosure pursuant to FRCP26 (a)(2) | <i>Wednesday, January 6, 2021</i> | <i>Tuesday, April 6, 2021</i> |
| Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2) | <i>Friday, February 5, 2021</i> | <i>Wednesday, May 6, 2021</i> |
| Dispositive Motions | <i>Tuesday, April 6, 2021</i> | <i>Monday, July 7, 2021</i> |
| Joint Pretrial Order | <i>Thursday, May 6, 2021</i> | <i>Wednesday, August 6, 2021</i> |

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery period
2 by ninety (90) days from the current deadline of March 8, 2021, up to and including June 7,
3 2021, and the other dates as outlined in accordance with the table above.

4 Dated this 17th day of December, 2020.

Dated this 17th day of December, 2020.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

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11 *Attorneys for Defendants*

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13 **ORDER**

14 IT IS SO ORDERED.

15 Dated this 17th day of December, 2020.

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18 U.S. MAGISTRATE JUDGE
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